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| 10/039,160      | 12/31/2001  | Shmuel Shaffer       | 062891.0623         | 9353             |

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EXAMINER

NGUYEN, QUYNH H

| ART UNIT | PAPER NUMBER |
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2642

DATE MAILED: 10/22/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/039,160

Applicant(s)

SHAFFER ET AL.

Examiner

Quynh H Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 31 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-50 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-50 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2, 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-5, 7, 8, 12-21, 23, 24, 28-37, 39, 40, and 44-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wellner et al. (U.S. Patent 6,628,767) in view of Fernandez et al. (U.S. Patent 5,596,634).

Regarding claims 1, 5, 17, 21, and 37, Wellner et al. teach a method of operating a multiparty communication session, comprising: prompting active participants of a multiparty communication session to identify themselves (col. 7, lines 12-19).

Wellner et al. do not teach disabling media from a particular device from which no active participant is identified to terminate communication of the media from the particular device to other devices in the multiparty communication session.

Fernandez et al. teach a method for providing an initial caller to a telecommunications system with access to one of a plurality of conversations each relating to a particular topic available in the system, in a preferred embodiment of the invention teaches in the event that there are no current conversations ("no active participant"), the call is terminated (col. 1, line 60 through col. 2, line 7) reads on the second limitation of claim 1. Furthermore, there are other references that teach disable

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inbound transmission on an inactive control channel link such as Sensel et al. (U.S. Patent 6,091,714 - col. 42, lines 35-42).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the features of disabling media from a particular device from which no active participant is identified to terminate communication of the media from the particular device to other devices in the multiparty communication session, as taught by Fernandez, in Wellner's system in order save system resource by disabling media from a device from an inactive participant.

Regarding claims 2, 18, and 34, Wellner et al. do not teach prompting the active participants to identify themselves a response to at least a request from one of the participants; but rather the participants who join the conference with their web browser are prompted to identify themselves and their names are displayed.

Regarding claims 3, 4, 19, 20, 35, and 36, Wellner et al. teach each participant (including the participant making the request) needs to enter his or her name, conference code and a unique ID (col. 7, lines 53-62) for authentication purposes.

Regarding claims 7, 8, 23, 24, 39, and 40, Fernandez et al. teach receiving a response from the active participant via DTMF (Fig. 1, 112) or speech recognition (Fig. 1, 120).

Regarding claims 12, 13, 28, 29, 44, and 45, Wellner et al. teach identifying ("displaying") to the active participants a list of the active participants (col. 5, lines 37-39).

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Regarding claims 14, 15, 30, 31, 46, and 47, Wellner et al. teach each active participant identifies him with a password ("Personal Identification Number - PIN").

Regarding claims 16, 32, and 48, Fernandez et al. teach in the event that there is no conversation and the caller does not wish to be automatically called back, then the system 15 disable media from which no active participant is identified ("disconnects the communication path 11 to caller 10").

Claim 33 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Wellner et al. teach a media encoded in logic (Fig. 1, PC web browser 29 comprises Java applet 31 and HTML participant list 35).

Claim 49 is rejected for the same reasons as discussed above with respect to claims 1, 7, and 8. Furthermore, Wellner et al. teach receiving an audio stream from each of a plurality of participants to a conference call (Fig. 1, dotted line 47 from customer equipment 15 to web server 37, dotted line 55 represents a path interconnecting web server 37 with talker proxy server 45, a dotted line 57 represents a path interconnecting talker proxy ser 45 with bridge interface 43). However, Wellner et al. do not teach receiving a control signal from a participant to the conference call indicating the conference call is receiving on-hold content from at least one on-hold endpoint. Putting the conference call on-hold by the participant is well known and the advantage of using this feature is also well known, for example, a conferee would perform other task during a conference call and do not want to bother others participants by pushing the hold button.

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3. Claims 6, 9-11, 22, 25-27, 38, and 41-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wellner et al. (U.S. Patent 6,628,767) in view of Fernandez et al. (U.S. Patent 5,596,634) and further in view of Horn (6,556,670).

Regarding claims 9, 25, and 41, Wellner et al. do not teach filtering out responses from the active participants to prevent communication of the responses to the other devices in the multiparty session.

Horn teaches a solution to prevent music-on-hold signal emanates from a conferee from being passed through an audio conference bridge by directing a merging/summing subsystem of the audio conference bridge to temporarily stop ("filter out") (see abstract).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the features mentioned above as taught by Horn in Wellner's system in order to prevent communication of the responses being transmitted to the other conferees.

Regarding claims 6, 22 and 38, Wellner et al. do not teach disable media comprises on-hold content. Horne teaches the system determines the existence of an offending conferee (i.e., conferee transmitting music on-hold - abstract and col. 2, lines 5-53), the audio from the offending conferee is temporarily stopped ("disabled" - abstract and col. 2, lines 5-53).

Regarding claims 10, 11, 26, 27, 42, and 43, Wellner et al. do not teach periodically playing to the particular device for which the media is disabled a prompt inviting the participant to re-join the multiparty communication session and enabling

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media from the particular device in response to receive a re-join request from the particular device.

Horn teaches the offending conferee receives a prompt to re-join the audio conference ("a prompt inviting the participant to re-join the multiparty communication session" - col. 2, lines 47-51), and a touchtone command is received at the controller from the offending conferee to re-join the conference (col. 3, lines 5-10).

It would have been obvious to one of ordinary skill in the art to incorporate the mentioned above features, as taught by Horn in Wellner's system in order to have a user-friendly system.

4. Claim 50 is rejected under 35 U.S.C. 103(a) as being unpatentable Horn (U.S. Patent 6,178,237) Fernandez et al. (U.S. Patent 5,596,634).

Regarding claim 50, Horn teaches the conference bridge comprising: an input buffer (Fig. 1, 403 and 408) to receive incoming audio streams ("frame") generated by the participants; a cross-connect to cross-connect an audio stream from each participant to conference output stream (col. 1, line 46-67); Horn also teaches the output signals for the participant represented by the summation of each input signal multiplied by a gain element parameter, thus allowing each participant to vary that parameter for the input signals associated with one or more participants with features such as whispering, muting... (Col. 1, line 55 through col. 2, line 14) reads on claimed "the conference stream output generator for each participant operable to combine each audio stream received from the cross-connect multiple independently controlled by the

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participant and to generate a conference output stream for the participant"; and output buffer (Fig. 1, 401 and 414).

Horn does not teach an on-hold handler operable in response to a participant request to communicate with the participants, to identify active participants and to disable audio streams generated by devices associated with non-active participants.

Fernandez et al. teach a method for providing an initial caller to a telecommunications system with access to one of a plurality of conversations each relating to a particular topic available in the system, in a preferred embodiment of the invention teaches in the event that there are no current conversations ("no active participant"), the call is terminated (col. 1, line 60 through col. 2, line 7) reads on the second limitation of claim 1. Furthermore, there are other references that teach disable inbound transmission on an inactive control channel link such as Sensel et al. (U.S. Patent 6,091,714 - col. 42, lines 35-42).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the features of disabling media from a particular device from which no active participant is identified to terminate communication of the media from the particular device to other devices in the multiparty communication session, as taught by Fernandez, in Horn's system in order save system resource by disabling media from a device from an inactive participant.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 703-305-

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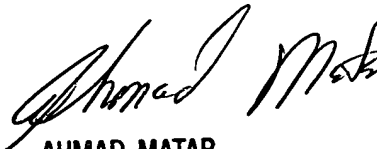
5451. The examiner can normally be reached on Monday - Thursday from 6:30 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

qhn

Quynh H. Nguyen  
October 14, 2003

  
AHMAD MATAR  
SUPERVISORY PATENT EXAMINER  
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